

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned U.S.
 OTHER MINOR OFFENSE MO ☐ 8509
 OTHER MISDEMEANOR Mis ☐ Dis./Sentence
 FELONY Fel ☒ 1085 4 District Office 6-22-76

vs. CATO, Elma J.
 2498 North Marion
 Tulsa, OK 74115
 (LAST, FIRST, MIDDLE)

Case Filed
 Mo. Day
 5 25
 No. of Defs
 * 1

76-CR-72 - 1

Yr. Docket No. Def.

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

18:1341

Mail fraud
 (\$1,000 and/or 5 yrs)

1

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 6-3-76	High Risk Date 5-25-76	6-10-76	Trial Set For 7-19-76	6-22-76
Summons Served	Indict. Waived <input type="checkbox"/>	1st Plea 6-10-76	Voir Dire <input type="checkbox"/>	Disposition of Charges
First Appearance	In Charging District	Final Plea 6-10-76	Trial Began <input type="checkbox"/>	XX Convicted
	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>		Trial Ended <input type="checkbox"/>	<input type="checkbox"/> On All Charges
				<input type="checkbox"/> On Lesser * Offense(s)
				<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Governm'ts Motion

		MAGISTRATE		OUTCOME:	
Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	<input type="checkbox"/> DISMISSED
	Return			PRELIMINARY EXAMINATION	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons	Issued			OR	
	Served			REMOVAL HEARING	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
Arrest Warrant Issued				<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED	
COMPLAINT				Tape Number	
OFFENSE (In Complaint)				<input type="checkbox"/> INTERVENING INDICTMENT	

U.S. Attorney or Asst.

ATTORNEYS

Defense: ☒ CJA, ☐ Ret., ☐ Waived, ☐ Self, ☐ None / Other, ☐ PD, ☐ CD

Hubert H. Bryant

A. A. Berringer PH: 584-2451
 711 Beacon Bldg.
 Tulsa, OK 74103

* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
5-25-76		Record vote of Grand Jury, filed in open ct. rm	
5-25-76		Indictment, filed in open court. rm Bond set in amount of \$1,000 O/R) (AEB-J)rm	2 5-25-76 M
5-26-76		Warrant of arrest issued. rm	
6-3-76		Counsel apptd. Deft. released on \$1,000 personal bond. (CSB-Mag.)kt	
6-3		MO: Case set for arraignment on 6-10-76, at 10:00 A.M. Deft. given 10 days from this date to file motions & Govt. 5 days to respond. (AEB-J)b nts mld	
6-9		Warrant for Arrest, ret. & filed: deft. Cato arrested on 6-3-76. g	2 6-3-76 M 10
6-10		Case called for arraignment & plea at 10:00 A.M. Deft. appears in person & represented. Govt. represented. Deft. acknow. receipt of indict, is advised of charge & is arraigned. Deft. enters plea of NOT GUILTY. Case set for trial on 7-19-76, at 9:30 A.M. Deft. given add'l 10 days to file motions & Govt. 5 days to res-pond. Deft. to remain on present bond. (10:30 A.M.) Deft. Cont'd	

DATE	(DOCUMENT NO.)	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY				For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)
				Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	
6-22		reappears & announces desire to change plea. Deft. placed under oath & w/draws plea of Not Guilty & enters plea of GUILTY & is adjudged GUILTY as charged. Deft. waives jury; waiver signed & filed in open court. Indict. read. Pre-sent. report ordered Sentencing set for 6-22-76, at 2:00 P.M. Deft. to remain on present bond.(AEB-J)b						A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
6-22		Case called for sentencing. Deft. present & represented. Govt. represented. Deft. & co. asked if they have anything to say before sentence is pronounced: Judgment & Sentence - Elma J. Cato Impos. of sentence suspended & deft. placed on probation for period of five (5) years. Conditions of probation are that Deft. make reimbursement to Harzfeld's in the amt. of \$1,138.92, at \$20.00 a month beginning in July, 1976; and continue as out patient at the Tulsa Psychiatric Clinic. Bond exonerated.(AEB-J)b						B. NARA Examination (28 U.S.C. 2902).
6-22		Judgment & Order of Probation, filed & entered.(AEB-J)b						C. State or Federal trials on other charges.
6-22		Two c/c of J & O of Prob. to probation. b						D. Interlocutory Appeals.
								E. Hearings on pretrial motions.
								F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
								G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
								H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
								I. Prosecution deferred by mutual agreement.
								M. Unavailability of defendant or essential witness.
								N. Period of mental or physical incompetence of defendant to stand trial.
								O. Period of NARA Commitment or Treatment.
								P. Superseding indictment and/or new charges.
								R. Defendant awaiting trial of Co-defendant when no severance has been granted.
								T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants interests).
								U. Time between guilty plea and plea withdrawal.
								W. Grand jury indictment extended per 3161 (b).

9-7-79 \$20.00
10-9-79 \$10.00 pd
11-15-79 \$10.00
12-13-79 10.00
1-7-80 10.00

4-3-81 \$10.00
5-1-81 \$10.00
7-21-81 20.00 pd out

5-30-80 10.00
8-4-80 10.00
11-3-80 10.00

12-2-80 10.00
12-16-80 \$365.00 pd out
1-2-81 \$10.00
2-4-81 10.00
3-2-81 10.00
3-27-81 \$30.00 pd out

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER
7-6-76	Cato	\$20.00	12-2-76	Cato	\$20.00
8-6-76	Cato	20.00	2-2-77	Cato	\$20.00
10-8-76	Cato	20.00	6-8-77	Cato	\$10.00
11-15-76	Cato	20.00	9-12-77	Cato	\$10.00

9-7-79 \$20.00

5-4-79 10.00
7-20-79 10.00
8-2-79 10.00

10-12-77 \$10.00
11-1-77 \$10.00
6-12-78 \$10.00
7-19-78 \$10.00
8-2-78 \$10.00
3-2-79 10.00
4-3-79 15.00